UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 January 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 4-20</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1 and 4-20</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

12/10/2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,6,8-9, 11-12, 14 and18-20 are rejected under 35 U.S.C. 102(b) as being

anticipated by Clark et al. (WO 01/88703 A1) hereinafter Clark.

For claims 1, 14 and 18, Clark teaches a system for generating a graphical user

interface on a display device for aiding a user in using features of a software

application, wherein the system performs the method comprising:

receiving from a user a selection of a layout (see Fig. 28, selection of a template

wherein the template is inherently based on a layout) to be used in generating an

informational display for presenting results of a data repository query (the generated

report comprises results of a data repository query as evidenced by Fig. 23 and 27. Also

see page 18 line 34 – page 19 line 12), wherein the user selects the layout by selecting

an existing informational display (see Fig. 28, selection of either TEMPLATE1 or

TEMPLATE2 wherein the template is inherently based on a layout) on which the

informational display is to be based;

extracting (e.g., reading/obtaining), using a filter (e.g., Report Wizard 194 in Fig.

22 and illustrated also in Figs. 23-28), at least one user-changeable code portion from

the existing informational display (e.g., at least the user-changeable code portion

associated with "title" for the report as illustrated in Fig. 28), wherein at least one input

field is bound to the extracted code portion (input field "Enter Title" provided by the

interface screen in Fig. 28 is used to specify data to modify the extracted code portion

from the template associated with "title", thereby providing the binding), the filter

recognizing the at least one user-changeable code portion from another portion not

changeable by the user (e.g., Report Wizard 194 recognizes the user-changeable code

portion of the template from another portion not changeable by the user based on which

input fields it contains that allows a user to change portions of the code extracted from

the template. Also see "Response to Arguments" section hereinafter).

displaying to the user the at least one input field (input field labeled as "Enter

Title" in Fig. 28) and an image of a sample informational display that is based on the

selected layout (Report preview in Fig. 28), the at least one input field being displayed in

association with at least one feature shown in the displayed sample image (e.g.,

according to one interpretation of this limitation, the input field "Enter Title" that is being

displayed is associated with the title feature displayed in the preview image via the

binding); and

receiving via the at least one input field user input to be used in modifying the at

least one feature in the informational display (It is clearly understood by a person of

ordinary skill in the art that once a user inputs the title in the input field labeled "Enter

Title", the user input is used to modify the title of the generated report).

For claim 6, Clark further teaches that the at least one input field and the

displayed sample image are part of a guided process comprising multiple input fields

and displayed sample images (see Fig. 22-28).

For claim 8, Clark teaches that at least two of the multiple displayed sample

images ("Report preview" as shown in Fig. 28) correspond to different configurations of

the informational display (since the preview sample image naturally changes based on

different configuration, for example, selection of different templates).

For claims 9 and 19, Clark further teaches that the user input is at least one

selected from the group consisting of: selection of a title for the informational display

(input field labeled as "Enter Title" in Fig. 28), selection of the data repository query to

be provided in the informational display (Fig. 27), selection of at least one filter value for

filtering the results of the data repository query, and combinations thereof.

For claims 11 and 20, Clark further teaches that displaying the input field in

association with the feature comprises displaying the input field on top of the displayed

sample image in close proximity to the feature (Fig. 28 shows the input field labeled

"Enter Title" as displayed on top of the sample preview image and in close proximity to

the "Title" feature).

For claim 12, Clark further teaches binding the at least one input field to a code

portion in the informational display such that the user input can be used in modifying the

at least one feature in the informational display (the input filed for entering title in Fig. 28

is bound to the code portion in the report display since the change made to the title

using the input field modifies the title in the displayed report).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 4,5,10,13,15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark.

For claim 4, Clark does not explicitly teach placing the extracted code portion in an XML file that is to be modified using the user input, and subsequently using the XML file in creating the new informational display (report). However, Clark briefly mentions using XML for storing existing reports when discussing about importing and editing an existing report using a guided process (see page 18 lines 25-33). Therefore, Clark appears to implicitly teach or at least makes it obvious to a person of ordinary skill in the art to place the extracted code portion from the template in an XML file (e.g., in the Report XML that contains information of an existing report being edited, since information pertaining to a report is placed in a Report XML document according to his teaching, see page 18, lines 25-33) for editing by the user and subsequently using the

XML file (i.e., the Report XML) in creating the new informational display. The motivation

for using XML would have been to take advantage of XML's strict syntax and parsing

requirements that makes parsing algorithms extremely simple, efficient and consistent,

as well as to take advantage of its' hierarchical structure and platform-independence

which is well known in the art and also because it makes common sense to include the

layout and style information from the template in the same XML document that is being

used to store other information for the report being generated.

For claim 5, it would have been also obvious based on Clark to create the

informational display by adding non user-changeable code portions to the XML file

because the non user-changeable code portions, e.g., the layout and style as chosen

using a template also obviously need to be added in the Report XML file to be used for

creating the informational display.

For claim 10, Clark does not teach that the at least one input field is a drop-down

list box with multiple user-selectable inputs (e.g., the "Enter Title" input field in Fig. 28 is

not a drop down list box). However, obviously the Report Wizard 194 can be modified to

allow a user to change some other properties obtained from the template, such as one

or more of font, size, color etc. In such cases, it would have been obvious to provide a

drop down list box for selecting the value for such properties in the input field, as such

modification is likely the product not of innovation but of ordinary skill and common

sense.

For claims 13 and 17, it has already been pointed out in the rejection of claim 2
that Clark teaches binding the at least one input field to the code portion of the
informational display. But, Clark does not teach that the binding comprises using an
XPATH statement. However, it was a well known technique in the art at the time of the
invention to use XPATH statements for binding input fields to XML documents and since
W3C (World Wide Web Consortium) released XPATH as a recommendation for a path
language to specify a certain part of an XML document, it would have been obvious to a
person of ordinary skill in the art to use XPATH as the mechanism for implementing the
binding. Clark also does not explicitly teach using the XPATH statement comprises
generating a new node in the informational display if the new node is specified by the
XPATH statement and does not yet exist in the informational display. This basically
means adding additional features in the informational display that are not provided in
the selected template but the user wishes to add. It would have been obvious to a
person of ordinary skill in the art to modify Clark's teaching to provide this functionality
in order to enhance flexibility in formatting the informational display.

For claim 15, Clark teaches a system for generating a graphical user interface on
a display device for aiding a user in using features of a software application, wherein the
system performs the method comprising:

receiving from a user a selection of a template file (see Fig. 28, selection of a

template) to be used in creating a new informational display for presenting results

of a data repository query (the generated report comprises results of a data

repository query as evidenced by Fig. 23 and 27. Also see column 10 lines 55-

67), the template file being based on a layout (the template is inherently based

on a layout);

extracting at least one user-changeable code portion from the template file

according to the layout and placing the code portion in an XML file (see rejection

of claims 1 and 4 above);

performing a guided process for modifying the XML file (it has already been

pointed out in the rejection of claim 6 that Clark uses a guided process for

creating the informational display and it has also been pointed out in the rejection

of claim 4 why it would have been obvious to use an XML file for creating the

informational display), the guided process involving displaying to the user at least

one input field and an image of a sample informational display that is based on

the layout (Fig. 28 , also see the rejection for claim 1), the at least one input field

being displayed on top of the displayed image in close proximity to a feature

shown in the displayed sample image (see the rejection of claim 11);

receiving user input via the at least one input field (implied in Fig. 23-28);

modifying the XML file using the user input (obvious as discussed in the rejection

for claim 4); and

creating the new informational display using the XML file (also obvious as

discussed in the rejection for claim 4).

Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark

in view of Iremonger et al. (US 7,000182 B1) hereinafter Iremonger.

For claims 7 and 16, Clark does not explicitly teach that the guided process is selected from a plurality of guided processes based on the selected layout. However, Iremonger also teaches an assistant program and corresponding method for creation of layouts/reports for presenting results of a data repository query wherein he teaches that the guided process is selected from a plurality of guided processes based on the selected layout. For example, it is clearly understood by a person of ordinary skill in the art from considering the layout options presented on Fig. 9 that the guided process selected and interface screens presented to the user will differ based on whether the user chooses the layout as a "Columnar List/Report" or as a "Report with grouped data". In the event of user selecting the former layout, obviously the guided process will not display the dialog box for organizing records by category as shown in Fig. 12. However this dialog box will be displayed as part of the guided process when the user chooses the other layout option (see also column 8, lines 56-61). Therefore, it would have been obvious for a person of ordinary skill in the art to combine the teaching of Iremonger with that of Clark in order to arrive at the present invention. The motivation for such combination would have been to ensure providing relevant guidance to the user necessitated by different layout selection by the user.

Response to Arguments

The examiner acknowledges and appreciates the amendment filed on

12/10/2007.

Claims 1, 14, 15 and 18 have been amended, wherein claims 1, 14, 15 and 18 are

independent claims.

Claims 1, 4-20 are currently pending.

The Examiner hereby withdraws previous objections to claims 1 and 14

regarding antecedent basis based on the filed amendment.

Applicant's arguments filed on 12/10/2007 regarding the prior art rejections have

been fully considered but they are not persuasive.

Applicants points out that the amended claim 1 recites a combination of features

including, among other things, "*extracting, using a filter, at least one user-changeable code*

portion from the existing informational display, wherein at least one input field is bound to the

extracted code portion, the filter recognizing the at least one user-changeable code portion

from another portion not changeable by the user." Applicants argued, "Clark does not

disclose any form of extracting using a filter, much less

'extracting, using a filter, at least one user-changeable code

portion from the existing informational display .... the filter

recognizing the at least one user-changeable code portion from

another portion not changeable by the user,' as recited in claim

1." The Examiner disagrees. In the previous Office Action, it was pointed out that the

term "*extracting*" in the broadest reasonable interpretation simply means "reading", i.e.,

"obtaining" from a source. Fig. 23-28 in Clark illustrates screens of a report wizard (i.e.,

Report Wizard 194 in Fig. 22) that can be used to either create a new report, or edit an

existing report including reports imported from other applications (see also page 19

lines 13-26). One screen of the Report Wizard 194 in particular, illustrated in Fig. 28,

shows "*existing informational display*" (e.g., in one interpretation "TEMPLATE1" or

"TEMPLATE2") that is applied to the report, i.e., the user selects the layout of the

report by selecting one of the templates (i.e., *existing informational display*) on which

the report (i.e., *the informational* display) is to be based. It should be readily apparent to

those skilled in the art that in order to apply the template to the report, layout and style

information pertaining to the template must be read (i.e., extracted) from the template

file by the Report Wizard 194. This is necessarily be the case. Additionally, Fig. 28 also

illustrates that Clark only allows a certain code portion of the template to be changed by

the user. For example, as illustrated in Fig. 28, only the code portion associated with

"title" element of the template can be changed using the screen under the "Style" tab

within the Report Wizard 194. Other style information from the template, such as font,

color, size etc. are clearly not changeable using the wizard for user modification. That

is, the Report Wizard 194 recognizes the user-changeable code portion of the template

from another portion not changeable by the user based on which input fields it contains

that allows a user to change portions of the code extracted from the template. In other

words, the Report Wizard 194 performs the function of the "***filter***" as claimed. Therefore

Clark teaches "*extracting, using a filter, at least one user changeable code portion from*

the existing informational display.... the filter recognizing the at least one user-

changeable code portion from another portion not changeable by the user," as recited

in claim 1.

Applicants further alleged, "`Instead, Clark teaches away from claim`

`1 as Clark appears to allow all details to be defined by the`

`user. Clark, page 5, lines 3-5.`" The Examiner disagrees.

Following is an excerpt of page 5, lines 1-9 from Clark:

"`…for collecting and monitoring information for medical claims;`
`any of numerous organizations which require inventory control`
`systems; and non-profit organizations, for maintaining and`
`analyzing information concerning donors.`

`It should be emphasized that the above examples of`
`end user institutions and the specific data collection`
`application examples related thereto are for illustration of the`
`present system disclosed herein, and should not be considered to`
`be limiting relative to the scope of the invention.`"

The above excerpt does not provide any support at all for applicant's allegation

that Clark appears to allow all details to be defined by the user and in fact entirely

irrelevant to the point. Thus the Examiner is unable to refute this allegation in detail.

However, the Examiner points out that Clark does not allow all details to be defined by

the user, since font, color, size etc. of the selected template is not allowed to be

changed by the user as explained hereinabove.

Applicants further argued, "`Moreover, conspicuously absent from the`

`Examiner's inherency allegation on page 11 of the Final Office`

`Action is any citation to Clark. Instead, the Examiner uses`

impermissible hindsight by citing to Applicants' own disclosure.
For this additional reason, the rejection under 35 U.S.C. §
102(b) of claim 1 as well as claims 6 and 8-12, at least by
reason of their dependency from independent claim 1, should be
withdrawn." In response the Examiner attempted to clarify the reasoning behind the

rejection hereinabove citing Clark. Additionally applicants allegation that the Examiner

used impermissible hindsight by citing Applicants' own disclosure holds no ground since

the purpose of citing Applicants' own disclosure was to clearly demonstrate that the

instant disclosure does not provide any explicit (i.e., limiting) definition for the term

"*filter*". Thus a "filter" needs to be interpreted based on the limitations explicitly recited

in the claim. According to the amended claim 1, a "filter" performs two functions: (a)

Extract at least one user changeable code portion from the existing informational

display and (b) recognizes the at least one user changeable code portion from another

portion not changeable by the user. As explained hereinabove, Report Wizard 194 in

Clark performs both these functions as already explained hereinabove.

For other claims that stand rejected in the previous Office Action, Applicants

relied on the same argument discussed hereinabove regarding claim 1. Thus the

reasoning explained hereinabove also serves as the response for the rest of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHEDUL HASSAN whose telephone number is (571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2179

/Weilun Lo/
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